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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/537,750	06/06/2005	Terry Wayne Lockridge	PU020488	5462

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EXAMINER	
NGUYEN, MINH TRANG T	

ART UNIT	PAPER NUMBER
2477	

MAIL DATE	DELIVERY MODE
04/26/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/537,750	LOCKRIDGE ET AL.	
	Examiner	Art Unit	
	Minh-Trang Nguyen	2477	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 March 2010*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *8,10-16,18 and 19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *8,10-16,18-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/08/2010 has been entered.

2. Applicant's arguments with respect to claim8-19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 8, 10-16, 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Laiho et al (US 20030153369) in view of Brassil (US 2002/0107940).

Regarding **claim 8** Laiho et al disclose a system for synchronizing clocks across a network, comprising:

a device (**see Fig. 2, e.g., Head-End 202**) that receives a signal from a broadcast source that comprises a plurality of packets (**see Figs. 4, paragraphs [0012], [0025], e.g., step 402, the**

head-end 202 receives a content stream form an information source, such as a television source) at least a portion of the plurality of packets comprising an embedded time stamp (**see Fig. 4, paragraph [0027], e.g., step 410, the relative time period is encoded in the first burst of content data)**;

a device (**e.g., Interval module 212**) detects the at least a portion of the plurality of packets containing the embedded time stamp (**see paragraph [0018], e.g., the relative time period determined by interval module 212**); and

a device (**e.g., Fig. 2, Extraction Module 226**) that computes an adjusted time stamp based on the embedded timestamp (**see Fig. 2, paragraph [0021], [0024], e.g., an extraction the relative time periods from the received bursts of content)** and a precision local clock (**e.g., Time Source 228**) and incorporates the adjusted timestamp into the at least a portion of the plurality of packets containing the embedded timestamp (**see Fig. 2, paragraph [0021], [0024], e.g., time source 228 may extract time information from transport stream time and data table)**.

Laiho et al do not expressly disclose converting the at least a portion of the packets into Internet Protocol packets prior to transmitting the at least a portion of the plurality of packets to the network

Brassil disclose the above recited limitations (**see Brassil, paragraph [0003], e.g., the audio and video information are converted into data packet that are compliant with the Internet Protocol , and transmit or broadcast the data packets across the Internet to users**).

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to incorporate Brassil's teachings into Laiho et al. The suggestion/motivation would have

been provided for enriching media streams that are transmitted over distributed network in order to facilitate the processing of media streams at the end user as suggested by Brassil at paragraph [0013]).

Regarding **claim 10**, the combined teachings of Laiho et al and Brassil disclose the claim limitations mentioned above with respect to claim 8, and further disclose that each of the plurality of packets receive a localized timestamp based on the precision local clock regardless of whether they contain the embedded timestamp (**see Laiho et al, paragraph [0018], e.g., time source 216 may be used by interval module 212 to calculate the relative time period**).

Regarding **claim 11**, the combined teachings of Laiho et al and Brassil disclose the claim limitations mentioned above with respect to claim 8, and further disclose that the network comprises a plurality of network set top boxes ("NSTBs") (**see Laiho et al, Fig. 2, e.g., head-end 202)**.

Regarding **claim 12**, the combined teachings of Laiho et al and Brassil disclose the claim limitations mentioned above with respect to claim 11, and further disclose that time synchronization data is sent to the NSTBs in a transport packet (**see Laiho et al, paragraph [0030], e.g., the first relative time period determines the time interval between transmission of the first burst and the second transmission of the second bursts**).

Regarding **claim 13**, the combined teachings of Laiho et al and Brassil disclose the claim limitations mentioned above with respect to claim 12, and further disclose that each of the NSTBs is adapted to employ the transport packet to synchronize an internal clock to the embedded time stamps based on the time synchronization data (**see Laiho et al, paragraphs [0018], [0027])**.

Regarding **claim 14**, the combined teachings of Laiho et al and Brassil disclose the claim limitations mentioned above with respect to claim 8, and further disclose that a normalized clock rate is computed from the embedded time stamp and the precision local clock (**see Laiho et al, paragraph [0018], e.g., a time source 216 may be used by the interval module 212 to calculate the relative time period between burst of content).**

Regarding **claim 15**, the combined teachings of Laiho et al and Brassil disclose the claim limitations mentioned above with respect to claim 8, and further disclose that a time adjustment factor is computed (**see Laiho et al, paragraph [0030], e.g., the first relative time period determines the time interval between transmission of the first burst and the second transmission of the second bursts**).

Regarding **claim 16**, see similar rejection with respect to claim 8, the combined teachings of Laiho et al and Brassil further disclose a method for synchronizing clocks across a network, the method comprising the acts of:

receiving a broadcast signal that comprises a plurality of packets (**see Figs. 4, paragraphs [0012], [0025], e.g., step 402, the head-end 202 receives a content stream form an information source, such as a television source**), at least a portion of the plurality of packets comprising an embedded time stamp (**see Fig. 4, paragraph [0027], e.g., step 410, the relative time period is encoded in the first burst of content data)**;

detecting packets containing the embedded time stamp (**see paragraph [0018], e.g., the relative time period determined by interval module 212**);

computing an adjusted time stamp based on the embedded timestamp (**see Fig. 2, paragraph [0021], [0024], e.g., an extraction the relative time periods from the received bursts of content)** and a precision local clock (**e.g., Time Source 228**);

incorporating the adjusted timestamp into the at least a portion of the plurality of packets containing the embedded timestamp (**see Fig. 2, paragraph [0021], [0024], e.g., time source 228 may extract time information from transport stream time and data table)**; and transmitting the at least a portion of the plurality of packets to the network (**see Laiho et al, paragraph [0028], step 412, the first burst is transmitted to the transmission medium**).

Laiho et al do not expressly disclose converting the at least a portion of the packets into Internet Protocol packets.

Brassil disclose the above recited limitations (**see Brassil, paragraph [0003], e.g., the audio and video information are converted into data packet that are compliant with the Internet Protocol , and transmit or broadcast the data packets across the Internet to users**).

At the time of invention, it would have been obvious to a person of ordinary skilled in the art to incorporate Brassil's teachings into Laiho et al. The suggestion/motivation would have been provided for enriching media streams that are transmitted over distributed network in order to facilitate the processing of media streams at the end user as suggested by Brassil at paragraph [0013]).

Regarding **claim 18**, the combined teachings of Laiho et al and Brassil disclose the claim limitations mentioned above with respect to claim 16, and further disclose that incorporating a localized timestamp based on the precision local clock into each of the plurality of packets regardless of whether they contain the embedded timestamp (**see Laiho et al,**

paragraph [0018], e.g., time source 216 may be used by interval module 212 to calculate the relative time period).

Regarding **claim 19**, the combined teachings of Laiho et al and Brassil disclose the claim limitations mentioned above with respect to claim 16, and further disclose that transmitting the at least a portion of the plurality of packets to the network comprises transmitting the at least a portion of the plurality of packets to a plurality of network set top boxes ("NSTBs") (**see Laiho et al, Fig. 2, e.g., head-end 202)**.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh-Trang Nguyen whose telephone number is (571)270-5248. The examiner can normally be reached on Monday to Friday 7:30AM to 5:00PM EST, first Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chirag G. Shah can be reached on 571-272-3144. The fax phone number for the organization where this application or proceeding is assigned is 571-270-6248.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. N./
Examiner, Art Unit 2477

/Chirag G Shah/

Supervisory Patent Examiner, Art Unit 2477